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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,312	12/08/2000	David Yin-Shur Ma	CLAR-0100	3200

7590 06/03/2004

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EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 06/03/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,31

Applicant(s)

MA, DAVID YIN-SHUR

Examiner

Le H Luu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/08/2000 - 04/09/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/08/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-27 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-8, 10-18, 20-23, and 25-27 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Rajan et al. (Rajan)** patent no. **6,633,910**.

4. As to claim 1, Rajan teaches the invention as claimed (figure 1), including a communication interface for communication between a personal data assistant (PDA) and the communication interface, the communication interface being configured to communicate with other devices via the internet and being further configured to facilitate data communication between the PDA and other devices, a computer readable medium having stored thereon a plurality of sequences of instructions, said sequences of instructions including instructions that, when executed by a processor, cause said processor to perform the steps of:

receiving from a PDA a data packet having a header configured under a first format with the communication interface (figure 1; col. 10 lines 32-51; col. 12 lines 55-67, PALM PDA 47, PC 45 or data center 37);

re-configuring the received data packet under a second format with the communication interface (col. 6 line 66 - col. 7 line 9; col. 10 lines 52-61); and

transmitting the re-configured data packet to a destination device (col. 6 line 66 - col. 7 line 9; col. 10 lines 52-61).

5. As to claims 2-7, Rajan teaches the received a data packet having a header containing data information including the intended destination of the data packet and the size of the data packet; separating the header information from the data sent together in the data packet; generating a new header under a second format; and generating a new data packet having a newly configured header and the data received in the original data packet; wherein the step of generating a new header under the second format

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further includes the steps of: generating at least one header from the group including a TCP header and an IP header or generating a new header under the second format further includes the steps of generating a new packet under a TCP/IP protocol (col. 6 line 66 - col. 7 line 9; col. 7 lines 39-64; col. 10 lines 52-61).

6. As to claims 8 and 10, Rajan teaches receiving another data packet configured under the second format at the communications interface; configuring a header for a new packet according to the first format from the second format; and transmitting the second reconfigured packet from the communications interface to the PDA, and configuring a header for the new data packet according to the first format includes reconfiguring payload data sent with the second reconfigured packet (col. 11 lines 14-43).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 9, 19, and 24 are rejected under 35 U.S.C. §103 (a) as being unpatentable over **Rajan et al. (Rajan)** patent no. **6,633,910**, in view of **Schuster et al. (Schuster)** patent no. **6,681,252**.

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9. As to claim 9, Rajan teaches the invention substantially as claimed as discussed above. In addition, Rajan teaches configuring the header of the data packet from the second format to the first format includes reconfiguring the first data packet from a data packet having a header configured under the TCP/IP protocol to a data packet having a header configured under the protocol specific to the PDA (col. 11 lines 14-43).

However, Rajan does not explicitly teach the protocol specific to the PDA is OBEX protocol.

Schuster teaches a Palm PDA uses irOBEX protocol (col. 15 lines 43-67).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Rajan and Schuster to implement OBEX protocol in the PDA because it would provides easy wireless transfer files and data objects between PDA devices.

10. Claims 11-27 have similar limitations as claims 1-9; therefore, they are rejected under the same rationale.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 872-9306, (for formal communications; please mark
"EXPEDITED PROCEDURE").

Or:

(703) 872-9306 (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', is written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER

May 28, 2004